



One Hundred Thirteenth Congress
U.S. House of Representatives
Committee on Homeland Security
Washington, DC 20515

October 30, 2014

The Honorable Jeh Johnson
Secretary
U.S. Department of Homeland Security
301 7th Street SW – Mail Stop 0020
Washington, DC 20528

Dear Secretary Johnson:

It is my understanding that North Carolina and other States have used the Department of Homeland Security's Systematic Alien Verification for Entitlements (SAVE) program to verify the citizenship status of registered voters, and that the program is currently being used for that purpose by the North Carolina State Board of Elections. I agree that only eligible voters should be permitted to vote in an election. However, I am concerned that utilizing SAVE in this way could result in the disenfranchisement of U.S. citizens, given the well-documented limitations of the program.

Specifically, it is my understanding that not all U.S. citizens are included in SAVE, but rather the program includes only certain naturalized U.S. citizens. Natural born citizens and those with derivative citizenship are not included. Therefore, using SAVE exclusively to ascertain whether someone is a U.S. citizen could result in erroneous conclusions about a voter's citizenship status. Further, short of immediately updating the SAVE system at the conclusion of naturalization ceremonies, where a new citizen takes the Oath of Allegiance to the United States and is granted the right to vote, I do not see how gaps in SAVE citizenship records can be avoided. Finally, as we have seen with various databases administered by DHS and other federal agencies, data entry errors, name match issues, and simple human error can affect the quality and reliability of information in these systems. As a result, a State could fail to find records on an individual in SAVE when records on that individual are actually included in the program in some other form.

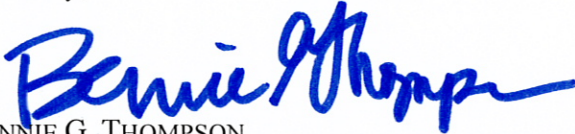
As you know, SAVE was established to allow jurisdictions to determine whether individuals are eligible for certain kinds of benefits, such as housing or food assistance. Using it instead to determine whether someone is eligible to exercise their Constitutional right to vote comes with more serious consequences if there are errors in the records or problems with the manner they are utilized. Disenfranchising one eligible voter, even inadvertently, would be extraordinarily troubling and absolutely unacceptable.

With that in mind, please respond to the following questions in writing:

- What is the intended purpose of SAVE? Are there limitations to its use for other purposes?
- How long does it take from the time an individual is naturalized as a U.S. citizen for their record to be fully updated in SAVE?
- Are all U.S. citizens included in the SAVE program or only naturalized U.S. citizens?
- Are those with derivative U.S. citizenship included in the SAVE program? If not, why not?
- If a jurisdiction using SAVE believes an individual is not a U.S. citizen but the individual asserts that they are does DHS play a role in resolving this discrepancy? Please explain.
- In the memoranda of agreement (MOA) that you executed with North Carolina and other States to access the SAVE program, is there a discussion of the limitations of the program and the associated risks of using it to conduct voter eligibility verifications? If not, would you consider updating the existing MOA to include such information or issuing general guidance about the limitations of utilizing the SAVE program to audit voter rolls?

Thank you for your attention to this timely and important matter. Should you have questions about this request, please contact Hope Goins, Chief Counsel for Oversight, at (202) 226-2616.

Sincerely,



BENNIE G. THOMPSON
Ranking Member